

**CLOSED**

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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MARK HARTMAN and WILMARK BUILDING CONTRACTORS, INC., a New Jersey Corporation,	:	
Plaintiffs,	:	Civil Action No. 02-2017 (SRC)
v.	:	<b>ORDER</b>
TOWNSHIP OF READINGTON, PLANNING BOARD OF THE TOWNSHIP OF READINGTON, BOARD OF HEALTH OF THE TOWNSHIP OF READINGTON, JULIE ALLEN, BEATRICE MUIR, and RONALD MONACO,	:	
Defendants.	:	

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**CHESLER, U.S.D.J.**

This matter comes before the Court by the motion to dismiss Plaintiff's Third Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) by Defendants Township of Readington, Board of Health of the Township of Readington, Julia Allen, Beatrice Muir, and Ronald Monaco in their official capacities ("Defendants") [docket item #127]; and opposition having been filed by Plaintiffs Mark Hartman and Wilmark Building Contractors, Inc. ("Plaintiffs") [docket item #130]; and the Court having decided to adjudicate the motions based upon the parties' written submissions pursuant to Federal Rule of Civil Procedure 78; and the Court having considered the papers filed by the parties; and for the reasons expressed in the

Opinion filed herewith and for good cause shown,

**IT IS** on this 20th day of June, 2008,

**ORDERED** that Defendants' Motion to Dismiss Plaintiffs' Third Amended Complaint is

**GRANTED**; and it is further

**ORDERED** that Plaintiffs Third Amended Complaint is **DISMISSED WITH**

**PREJUDICE**; and it is further

**ORDERED** that this case is **CLOSED**.

/s Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge